

REMARKS/ARGUMENTS

Specification

Examiner has objected to paragraphs [0003] – [0007] because of informalities relating to serial numbers for a concurrently related filed applications. Consequently, Applicants have amended paragraphs [0003] – [0007] in order to correct these informalities.

Claim Rejections - 35 USC §102

Claims 1-11, 24-29 and 39-41 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent No. 5,682,256 ("Motley et al.") for various reasons. *Motley* describes a communication system. A rejection under 35 USC § 102 requires that the cited reference describe all the claimed elements.

Applicants have canceled dependent claims 2, 11, 15, and 30, and have added a new independent claim 42. Applicants respectfully traverse the rejections by amending a portion of the remaining claims in order to clarify the invention and point out features that are not taught or suggested by the reference. Amended claim 1 is indicative and recites at least three elements not found in *Motley*. These are:

1. a first TDM Framer/Deframer coupled to the first wireless interface and configured to deframe a first TDM frame from the first network interface (See Fig. 11a-b, Paragraphs 0063-0067);
2. a second TDM Framer/Deframer coupled to the first wireless interface and configured to form a second TDM data frame (See Fig. 11a-b, Paragraphs 0063-0067); and
3. a link quality management unit configured to adapt one or more parameters of the first wireless interface (See Fig. 13, Paragraphs 0075-0081).

In contrast, *Motley* does not describe the forming or deframing of a TDM data frame. Rather the RF signal itself is carried by optical signals. That is, "[a]n important feature of the system is the use of an optical carrier modulated, e.g. amplitude modulated, with a radio frequency (RF) signal." (Col. 2., lines 36-38). In addition, no mention is made of link quality management.

Consequently, since *Motley* does not disclose or suggest at least three elements recited in amended claim 1 and/or how these elements can be combined in the manner claimed, Applicants

submit that the pending claims are allowable over the cited references. Applicants therefore request that the Examiner reconsider and withdraw the §102 rejections.

No new subject matter has been added.

Claim Rejections - 35 USC §103

Claims 12-23 and 30-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Motley* in view of US patent 6,646,983 ("Roy et al.") for various reasons. Roy is directed toward a network switch which supports TDM, ATM, and variable length packet traffic and includes automatic fault/congestion correction.

A rejection under 35 USC §103 requires that the combined references suggest the claimed combination. (MPEP 706 and 2141 et seq.). To support a rejection under §103, the references must suggest the desirability of the claimed invention. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. (MPEP 2143.01).

Applicants have canceled dependent claims 2, 11, 15, and 30, and have added a new independent claim 42. Applicants respectfully traverse the rejections by amending a portion of the remaining claims in order to clarify the invention and point out features that are not taught or suggested by the references. Amended dependent claim 16, incorporating by reference amended independent claim 1, is indicative and recites at least one element not found in Roy, namely a link quality management unit configured to adapt one or more parameters of the first wireless interface.

Since *Motley* and *Roy* fail to describe or suggest the claimed invention, either alone or in combination, the claimed invention is not obvious to a person of ordinary skill in the art. Consequently, Applicants submit that the pending claims are allowable over the references. Applicants therefore request that the Examiner reconsider and withdraw the § 103 rejections.

No new subject matter has been added.

Conclusion

Applicants have amended the claims to further clarify features that are not described or suggested by the references. For these reasons, Applicants respectfully requests that the Examiner reconsider and withdraw the rejections of the claims.

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In view of the discussion herein, Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at 408-257-5500.

Respectfully submitted,

/ Alex Sousa /

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Attachments

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